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THE NISSAN FIRE AND MARINE
INSURANCE COMPANY, LTD., and
HITACHI DATA SYSTEMS CORP.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

THE NISSAN FIRE AND MARINE)	CASE NO.: C 02-02516 JSW
INSURANCE COMPANY, LTD., AND)	
HITACHI DATA SYSTEMS CORP.,)	STIPULATION FOR DISMISSAL;
)	PROPOSED ORDER
Plaintiffs,)	
)	
)	FRCP 41(a)(1)(ii)
v.)	
)	
M AND CATHAY PACIFIC AIRWAYS, LTD.,)	
)	
Defendants.)	
)	
)	
)	

It is hereby stipulated by and between the Plaintiffs THE NISSAN FIRE AND MARINE INSURANCE COMPANY, LTD. and HITACHI DATA SYSTEMS CORP., (collectively ‘NISSAN’ or ‘Plaintiffs’) and Defendant BAX GLOBAL INC. (“defendant” or “BAX”)

through the parties' counsel of record, and requested that, a settlement of this matter having been concluded, that the above-entitled action be dismissed with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.

This stipulation and dismissal completely terminates in its entirety the above-entitled action including all claims for relief against all parties and all appeals. Each party will bear its own attorneys' fees and costs.

The parties hereto also request that this Court retain jurisdiction in order to enforce the terms and conditions of the settlement and release.

Dated: December 3, 2009

LAW OFFICES OF GEORGE W. NOWELL

By: /S/ PAUL B. ARENAS
PAUL B. ARENAS
Attorneys for Defendant
BAX GLOBAL, INC.

Dated: December 3, 2009

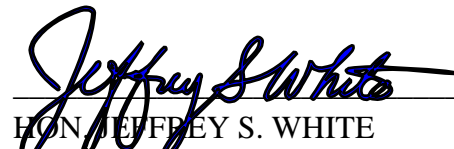
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THE NISSAN FIRE AND MARINE INSURANCE
COMPANY, LTD., AND HITACHI DATA
SYSTEMS CORP.,

ORDER

Pursuant to the parties stipulation, the action is dismissed. However, the Court declines to retain jurisdiction over the settlement and release.
IT IS SO ORDERED.

Dated: December 7, 2009, 2009


HON. JEFFREY S. WHITE
United States District Court
Northern District of California